



October 2015
Volume II, Issue 6

Special Interest Articles

ICD 10
New Staff
Electronic Records

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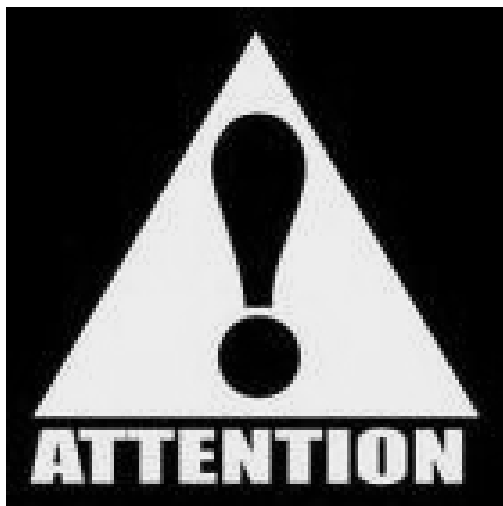


Texas Chiropractic Board Report

The mission of the Texas Board of Chiropractic Examiners is to execute the statutory authority of the Texas Chiropractic Act and to promote, preserve, and protect the health, safety, and welfare of the people of Texas by licensing skilled professionals and enforcing standards of practice.

Small Practice Alert – ICD 10 Implementation

-by Karen M. Cambion, D.C., CCSP, FIAMA



What's the same? What's different? **Do not use GEM's ONLY**, as they are just the starting point. The **TABULAR LIST** found in the coding manuals, which contains specific and complete code details, also contains special exclusions to using certain ICD 10 codes.

Check the **Exclude 1 and Exclude 2 tabs**. Certain diagnosis codes in ICD 10 can have special usage situations. If you do not check in the **TABULAR LIST**, you may get claims rejected if there are Exclude 1 and Exclude 2 situations.

This will help you select the final codes that will be used in making the proper diagnosis from this list. **Don't expect all ICD 9 codes to have only ONE ICD 10 code**. Some ICD 10 codes have several different codes to choose from, depending on your patient complaints and their detailed history.

Specificity and laterality must be considered when using ICD 10 codes. There are different ICD 10 codes for **RIGHT AND LEFT SIDES OF THE BODY**. Be careful if you use an ICD 10 code that is **"UNSPECIFIED"**. This description may only be used in

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It is a Federal requirement that you comply, regardless of what kind of health insurance your patients have. It's every **HIPPA** covered entity.

THIS INCLUDES CASH PRACTICES. YOU ARE NOT EXEMPT.

You must give your patients a superbill or receipt that has the correct International Coding Diagnostic (ICD) 10 coding for them to submit to their insurance company to get proper reimbursement for the services they received from your office.

IF YOU HAVEN'T PREPARED, WE URGE YOU TO TAKE IMMEDIATE ACTION.

You need to obtain ICD 10 coding manuals, then identify the ICD 9 codes you use the most often/currently and compare to ICD 10.



Texas Board of Chiropractic Examiners

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Bryan Snoddy
Interim Executive Director

Texas Chiropractic Board Report

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Message from the Interim Executive Director



Happy Fall! As Fall arrives, the weather gets a little cooler, the leaves change color and the chase for the pennant all evidence a season of change. I was going to note how the Cubs once again failed to make the post season, but even that has changed.

We will soon have a new executive director, Mrs. Patricia Gilbert, who hails from the Texas Department of Insurance, Division of Workers' Compensation.

The TBCE also welcomes a new chief financial officer, Mr. James Cogburn with a vast array of experience and a wealth of new ideas.

It has not escaped our attention that ICD-10 has also ushered in some changes as well. Yours truly has sat through a couple of seminars on the subject and while I understand the rudiments of a direct therapeutic relationship, the change for many is unwelcome. But this is a season of change. There are 68,000 billing codes under the new ICD-10 as opposed to a paltry 13,000 under the former ICD-9. The expansive diagnostic codes intended to provide for a smoother billing process and assist in population and cost reduction across the health care delivery have instead provided across-the-board worry and concern. Rest assured that the TBCE shares your concerns.

In May of 2016, the agency will undergo a review by the Sunset Commission. With that review, some things will change and yet some will remain the same.

Additionally, you may have noticed a change in the TBCE website. It has been updated for easier reading and to better enhance your ability to find information. We anticipate rolling out additional technological changes that will also simplify processes and in general make your lives easier.

In short, this is a season of change. Some changes may be unwelcome at first, but ultimately, these changes are being implemented so that the TBCE can ensure a more efficient and effective administration of the Chiropractic Act. As always, if you have questions or suggestions, we'd love to hear from you. We look forward to your feedback!

Bryan Snoddy

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Patricia Gilbert is TBCE's New Executive Director



We are very happy to introduce Patricia Gilbert as our next Executive Director. Ms. Gilbert most previously was employed for over nine years at the Texas Department of Insurance, Division of Workers' Compensation as the Executive Deputy Commissioner of Operations. She worked as the Chief of Staff for over 700 employees and was most instrumental in applying changes in the workers' compensation reform from the 79th Legislature in 2005. Ms. Gilbert's comprehensive work with the Texas Designated Doctor program has resulted in knowledge of the chiropractic profession, education and practice. Prior to that position Ms. Gilbert worked as an Assistant Director at the Texas Department of Insurance as well as serving at several other state agencies over the course of 25 years.

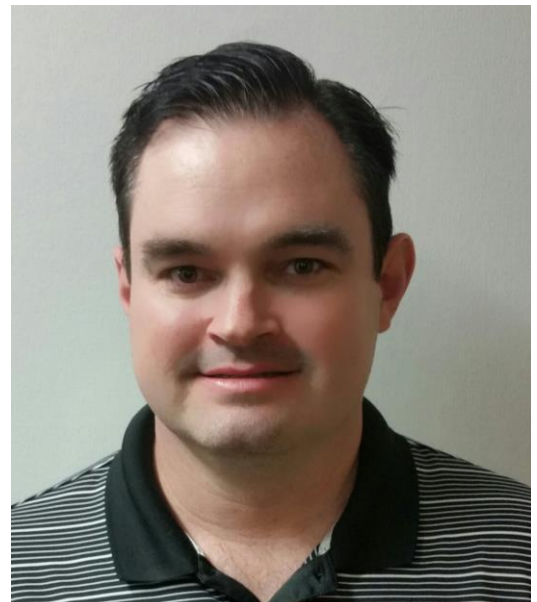
She holds a B.A. in psychology from the University of Houston. She also completed a fellowship at Harvard University, John F. Kennedy School of Government in 1999.

Ms. Gilbert states, "I am very excited to be joining the TBCE. Our 2016-17 Sunset review will be an opportunity to share the great work that our chiropractors do in Texas. These last few months away from state government have given me the opportunity to move to a new house, take some great trips with my grandkids and plan one more adventure in January to visit my family home in Chile... and embrace my Chilean roots! It's going to be a great year and I'm looking forward to meeting and working with our Texas Doctors of Chiropractic." ♦

James Cogburn is TBCE's New Chief Financial Officer

Please also welcome James Cogburn, our new Chief Financial Officer. James is a degreed accounting professional and a native Texan. Having earned a BBA and an MBA in Management and Accounting and a post-graduate certificate in Accounting, Mr. Cogburn brings knowledge and experience from a professional accountant point-of-view both in government and not-for-profit accounting.

Prior to joining the Texas Board of Chiropractic Examiners, Mr. Cogburn served at two non-profit private schools over a six year period and previous to that, he served for five years at the University of Texas and UT System beginning in 2004. With over a decade of accounting experience, James plans to use his innovative skills to increase efficiency and usefulness of financial data for our Board and constituents. ♦



Small Practice Alert – ICD 10 Implementation *con't from front page*

**ICD 10 has been in effect
since October 1st 2015.
So, just in case you
have not been
paying attention,
HERE IS YOUR
WAKE-UP CALL!**

the initial few visits with a patient until other diagnostic tests are performed or a more evident clinical picture is established. Once this is established, it would be appropriate to update the ICD 10 code to a more specific one as soon as possible.

Check with each carrier to see what rules they have regarding codes that contain **UNSPECIFIED** in the diagnosis code. It is possible the insurance companies may **DENY** your claim if an unspecified code is used for an extended period of treatment. Your documentation must paint a clear and complete picture of each patient's condition with details to support subsequent diagnosis and treatment.

Your documentation must match the ICD 10 diagnosis codes. Careful documentation is also important for auditing purposes. The patient's health record helps demonstrate compliance to quality of care measures and is important for demonstrating meaningful use for

electronic health records. Additionally, capturing the severity of the illness/injury may ultimately affect your case management and reimbursements. Talk to your practice management software vendor – have all updates been made? If you use a billing service and/or clearinghouse, talk with them, too – are they prepared to support ICD 10? If not, it may be time to find a new vendor.

Regardless of whether your office has implemented a program to help with clinical documentation principles, there are some basic documentation principles that you can use to help make your job easier:

1. **Lay the groundwork** by outlining a complete history.
2. **Go below the surface** by highlighting potential red flags and risk factors.
3. **Include progress notes** to illustrate how the patient was monitored and evaluated.
4. **Put the pieces together** with details on why decisions were made.
5. **Focus on teamwork** between medical, coding and billing staff.

For an example **SOAP** note from the AAPC (American Academy of Professional Coders) with proper ICD 10 coding on a patient visit and their contact information, visit this site: <http://www.aapcps.com/services/icd-10-documentation-example.aspx>

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Electronic Health Records: What to Expect in 2016

by Richard Y. Cheng, Partner, Healthcare Practice Group Co-Head, Shannon, Gracey, Ratliff & Miller, L.L.P.



In 2011, the federal government started paying bonuses to doctors, clinicians, and hospitals that have adopted the use of electronic health records (EHRs). Until 2016, individual doctors and other providers could have earned up to approximately \$44,000 from Medicare or \$63,750 from Medicaid, if they can demonstrate they are making "meaningful use" of EHR systems. Ironically, Congress never defined the term "meaningful use" in the law. Instead, Congress left it up to the Department of Health and Human Services (HHS) to fill in that gap. In July 2010, HHS released a final regulation defining what constitutes "meaningful use."

The released rules in July 2010 only covered the program's first two years. Two more stages of the program will follow in 2013 and beyond. Since 2013, HHS officials have expanded the definition of "meaningful use" by adding IT functions and security obligations providers must use to receive and keep their incentive fees. To accomplish meaningful use, providers must use EHR systems that comply with technical standards established by the Office of the National Coordinator (ONC).

The systems must be certified as "compliant, functional, and secure." Certification will be done by HHS-authorized organizations and existing EHR systems in hospitals and medical offices may need to be upgraded before they can be certified.

Early last week, the Centers for Medicare & Medicaid Services (CMS) released a final rule with comment period implementing Stage 3 despite lawmakers and stakeholders asking the agency to delay releasing the rule. Concurrently, the ONC released the final rule for 2015 Edition Health IT Certification Criteria.

Under the final rule, providers must comply with Stage 3 by 2018, with 2017 remaining optional. The rule also moves from fiscal year to calendar year reporting for all providers beginning in 2015, and offers a 90 day reporting period in 2015 for all providers, for new participants in 2016 and 2017, and for any provider moving to Stage 3 in 2017. The CMS deputy administrator has stressed its effort to simplify processes and maintain flexibility for providers focused on interoperability, information exchange and patient engagement. Also, CMS said it views the regulations as a "bridge to the new payment system for physicians and providers" and anticipates receiving input "about how best to incorporate the EHR Incentive Programs into the new payment system."

Despite the optimistic perspective from CMS, there is ample resistance and requests for delaying Stage 3. Senate Health, Education, Labor and Pensions (HELP) Committee Chairman Lamar Alexander (R-TN), who asked the administration in a September 29 letter to delay finalizing Stage 3 until at least January 1, 2017 released a statement critical of the

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Continuing Education 101

-by Jennifer Hertsenberg, Director of Licensure

A licensee is required to attend continuing education courses as a condition of renewal of an active license unless the licensee has a qualifying exemption such as:

- (1) A licensee who holds an inactive license
- (2) A licensee who served in the regular armed forces of the United States during part of the twelve (12) months immediately preceding the annual license renewal date;
- (3) A licensee who submits proof satisfactory to the Board that the licensee suffered a mental or physical illness or disability which prevented the licensee from complying with CE requirements during the twelve (12) months immediately preceding the annual license renewal date; or
- (4) A licensee who is in their first renewal period.

A licensee must complete sixteen (16) hours of approved continuing education each renewal cycle, four (4) of which are in Board-required topics and a one-time eight (8) hour requirement for Medicare. The Board-required topics include a minimum of three (3) hours specifically related to the Board's rules including the Board's code of ethics, recordkeeping, documentation and coding and a minimum of one (1) hour of risk management that relates to the practice of chiropractic in Texas. These required hours **cannot be taken online**, unless the course is offered directly from the TBCE. Currently, no more than six (6) hours may be obtained through online courses.

Effective January 1, 2016, no more than ten (10) hours may be obtained through online courses. A webinar and/or teleseminar is considered a LIVE course as it is real time and interactive.

Licensees initially licensed **before** September 1, 2012 were required to complete the one-time eight (8) hour Medicare requirement in calendar year 2011 or 2012. Licensees initially licensed on or **after** September 1, 2012 must complete at least eight (8) hours of continuing education in coding and documentation for Medicare claims **no later than their second renewal period**.

The sixteen (16) hours may be completed at any course or seminar chosen by the licensee, as long as the course or seminar has been approved by the Board.

All approved courses can be found on our website at <http://www.tbce.state.tx.us>, under the link, [Approved Continuing Education](#). If the course contains the four (4) Board-required hours and/or the Medicare hours, it will state so in bold, red letters under the course name.

READ THE FINE PRINT: If your hours cannot be verified at the time of renewal, your license will be renewed, but it will be placed in a *CE Conditional* status for up to twelve (12) months. At the conclusion of the twelve (12) months, if you still have not remedied the delinquent CE Hours, your license will be considered expired, backdated to the beginning date of the probationary year and closed for non-renewal. This means that if your license is closed for non-renewal, you must reapply as a new licensee, meet all current requirements and sit for the Texas Jurisprudence Examination again.

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Inactive License Updates -by Jennifer Hertsenberg, Director of Licensure

DID YOU KNOW...

- A licensee can renew as inactive for **up to twenty (20) years**.
- A licensee may return to active status after having been on an inactive status for **five (5) years or LESS** by taking and submitting proof of sixteen (16) approved hours of continuing education, including all required hours (TBCE and/or Medicare), with an active renewal form and a cashier's check or money order for the renewal fee. The licensee can then **return to inactive** at the next renewal.
- If a licensee has been inactive for **more than five (5) years**, the licensee can return to active status upon successfully passing Part IV of the NBCE and the Board's Texas Jurisprudence Examination or through other means if the license is exempt.

TAC Rule §75.4 states:

(d) To reactivate a license which has been on inactive status for five years or less, a licensee shall, prior to beginning practice in this state:

(1) apply for active status on a form prescribed by the board;

(2) submit written verification of attendance at and completion of continuing education courses as required by §75.5 of this title for the number of hours that would otherwise have been required for renewal of a license. Approved continuing education earned within the calendar year prior to the licensee applying for reactivation may be applied toward the continuing education

(3) pay the Active License Renewal Fee.

(e) A license which has been on inactive status for a period of more than five years may be reactivated only upon successfully passing Part IV of the National Board of Examination and the board's Jurisprudence Examination prior to reactivation. A licensee who has maintained an inactive status with the Board for a period greater than five (5) years may be exempt from compliance with the requirement of this subsection to retake Part IV of the National Board of Examination if they have held an active, unrestricted license in another state or foreign jurisdiction that is held in good standing. In no event shall an inactive status be maintained before this Board in excess of twenty (20) years.

DID YOU KNOW...

- The inactive processing fee for an annual inactive license is \$80.00 as of January 1, 2014. This fee can be paid by cashier's check, money order, or personal/company check.
- An inactive license cannot be processed online.
- The inactive form no longer requires a notarization. However, you are required to state your full name, address, date of birth and attest by signature and date that the information you provide the Board is true and correct. ♦

Agency Licensing & Registration Information through 10/8/15



| Number of Chiropractic Doctors | |
|--------------------------------|------|
| Active License | 5144 |
| CE-Conditional License | 322 |
| Expired License | 275 |
| Inactive License | 588 |
| Non-Renewable License | 2478 |
| Probated License | 16 |
| Suspended License | 5 |

| Number of Chiropractic Facilities | |
|-----------------------------------|------|
| Active Registration | 4149 |
| Expired Registration | 255 |

| Number of Radiologic Technologists | |
|------------------------------------|-----|
| Active Registration | 101 |
| Expired Registration | 46 |



Continuing Education 101 *con't from page 6*

Your Continuing Education sponsor is responsible for submitting a roster to the Board within thirty (30) days of the course completion date which we use to credit licensee hours, however, if you have a certificate of completion, we will accept the documentation until a roster can be received.

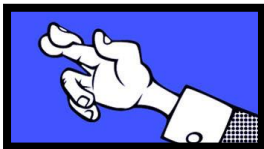
The Licensing staff is auditing licensee CE completion UPON renewal and is checking to make sure everyone is current on CE requirements.

Don't risk losing your license by not completing your CE hours!

For more information regarding Continuing Education, check out our webpage at www.tbce.state.tx.us under the heading, [Statutes and Rules](#) by selecting the [Texas Administrative Code](#) and [Chapter 75](#), Rule §75.5 and Rule §75.6.

To see whether your hours are up to date and complete, contact:

- Sarah Matthews, Licensing Assistant
(512) 305-6707 or sarah@tbce.state.tx.us
- Jennifer Hertsenberg, Director of Licensure and CE Standards
(512) 305-6702 or jennifer@tbce.state.tx.us



Reminder: Continuing Education for New Licensees

Your first renewal cycle is pro-rated and is usually not a full twelve months long, so completion of your Continuing Education (CE) requirements is not required until after your first license renewal. When you renew your license for the second time, you should have completed sixteen (16) hours of approved CE, including the four (4) hours in Board-required topics and the one-time, eight (8) required hours for Medicare.





Board Rule 75.1 requires licensees to maintain a current physical home and business address with the Board.

The same rule also requires licensees to **notify the Board in writing** of any change in address within 30 days of that change. Additionally, [Board Rule 73.4](#) requires a facility to notify the Board in writing of any change in street or mailing address or ownership within 30 days of that change.

PLEASE NOTE that merely submitting a change through Texas Online when completing a license or registration renewal will NOT change your address with the Board. Unfortunately, we do not receive notice of those changes from Texas Online.

"If you fail to notify the Board of a change in your address, you face a disciplinary action and up to a \$250 fine!"

Changes of address can be sent to the Board via mail, fax, or email to sarah@tbce.state.tx.us. A [change of address form](#) is available on our homepage at www.tbce.state.tx.us under the *Forms and Downloads* link. ♦



ICD 10 Implementation *con't from page 4*

It is highly recommended that all chiropractic practices get professional training on ICD 10 coding and billing to improve your clinical documentation, patient interactions, and proper reimbursements to your office and to your patients.

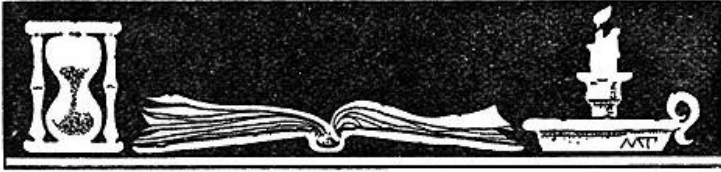
Please be careful that some vendors are selling training services that are only an **overview that stops short of getting you the practical coding training**. Please investigate each training program to make sure they are certified trainers before purchasing any program.

The Texas Board of Chiropractic Examiners is hopeful that this information will assist licensees from getting complaints filed against them from patients regarding the NEW ICD 10 coding and patient reimbursements.

If after reading this you find yourself needing help, look to

<http://www.aapcps.com/>, the TCA www.chirotexas.org and ACA www.acatoday.org for assistance and training webinars/seminar dates.

Other good sources are **Ces Soyryng** (www.cessoxyring.com) and **Kathy Jones** (nacatexas.com) newsletters. They both have posted webinars, seminars, and tips on their websites which will be very helpful to you. There are other online training programs available from continuing education vendors such as ChiroCode. ♦



Keeping Up With the Rules

Did you know that you can keep up with rules that the Texas Board of Chiropractic Examiners (TBCE) has proposed or adopted online?

The TBCE uploads all proposed and adopted rules onto our homepage at www.tbce.state.tx.us under the “[Rules-Recent & Proposed Changes](#)” link.

Additionally, you can view current rules from the Secretary of State website, which is linked to our homepage under the “[Statutes and Rules](#)” link.

All proposed and adopted rules are published in the *Texas Register*. Current and past issues are available at <http://www.sos.state.tx.us/texreg/index.shtml>

If you'd like to be notified by email whenever the TBCE proposed, adopts or withdraws a rule or schedules an open meeting, you can contact the Texas Register at 512-463-5561 or register@sos.state.tx.us.

We encourage all licensees to monitor proposed rules published in the *Texas Register* and to regularly comment on these proposed rules. Comments must be in writing and sent to the Executive Director via mail or email rules@tbce.state.tx.us within the specified time period. ♦

TBCE Board Meeting Schedule



TBCE Board Meetings

Hobby Building, Tower 2, Room 225

- February 18, 2016 (1:00 pm)
- May 17, 2016 (1:00 pm)
- August 18, 2016 (1:00 pm)
- November 17, 2016 (1:00 pm)



On August 20, 2015, the Board recognized outgoing Executive Director Yvette Yarbrough and Chief Financial Officer Arlethia Middleton. We wish them the best!



Summary of Actions

A regular meeting of the TBCE was held August 20, 2015, in Austin. The following is a summary of Board actions taken during this meeting.

The Board voted to adopt amendments to the following rules:

- Rule 75.5 – permitting more continuing education hours to be available through online mechanisms
- Rule 75.6 – changing the status for failure to meeting CE requirements to “Continuing Education Conditional”
- Rule 77.9 – made an exception in documentation filing requirements for licensees offering certain pro bono services
- Rule 78.6 – establishes a fee for webinars offered by the Board to new licensees

The Board voted to propose amendments to the following rules:

- Rule 71.2(b) – changing the last sentence to read “The petition shall contain the following information as applicable and except as may be waived by the Executive Director or designee. . .”
- Rule 72.2 – modified to add subsection (g) reading “Applicants seeking licensure may be refused admission to the practice of chiropractic for certain prohibited acts in accordance with Chiropractic Act, Occupations Code § 201.502.”
- Rule 78.8 – deleting subsection (g)(1)(C), dealing with certain hearings associated with temporary emergency suspensions of licenses
- Rule 78.13(a) – changing the word “section” to “chapter” to make clear the definitions contained in Section 78.13 apply to the entirety of Chapter 78

The Board voted to propose the following new rules:

- Rule 80.1 – Dual Office Holding
- Rule 80.2 – Merit Selection Principles
- Rule 80.3 – Sick Leave Pool
- Rule 80.4 – Private Donors
- Rule 80.5 – Contract Monitoring

The Board voted to accept fourteen (14) Agreed Final Orders, one (1) Board Order, one (1) Statutory Revocation Final Order, and ten (10) Cease and Desist Orders.

The Board voted to approve one (1) request to expunge disciplinary action and deny three (3) requests to expunge disciplinary action (for failure to meet expungement criteria). ♦

The offices of the Texas Board of Chiropractic Examiners will be closed in observance of the following holidays:

Veteran's Day

November 11, 2015



Happy New Year!

January 01, 2016



Martin Luther King, Jr. Day

January 18, 2016



Thanksgiving Days

November 26-27, 2015



Christmas Days

December 24-25, 2015



Board Disciplinary Actions Taken July through September 2015

To view the actual Board Orders, visit: <https://www.tbce.state.tx.us/verify.html>

CHARLES BARNWELL, D.C., Lic. #04315, Houston. On August 20, 2015, the Board and Dr. Barnwell entered into an Agreed Final Order requiring Dr. Barnwell to pay an administrative penalty of \$250 for failure to release patient records.

JUSTIN BENEDICT, D.C., Lic. #08790, El Paso. On August 20, 2015, the Board and Dr. Benedict entered into a Cease and Desist Order requiring Dr. Benedict to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

SHANNON BURKE, D.C., Lic. #05849, Orange. On August 20, 2015, the Board and Dr. Burke entered into an Agreed Final Order requiring Dr. Burke to pay an administrative fee of \$1500 for practicing in a facility with an expired registration and maintaining unsanitary conditions within the facility.

XAVIER CADENA, D.C., Lic. #10020, Houston. On August 20, 2015, the Board and Dr. Cadena entered into a Cease and Desist Order requiring Dr. Cadena to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

JOHN CHANEY, D.C., Lic. #12291, Austin. On August 20, 2015, the Board and Dr. Chaney entered into an Agreed Final Order requiring Dr. Chaney to pay an administrative penalty of \$250 for failure to timely notify the Board of a change of address.

PRINCE CHIME, Facility Lic. #F008409, Sugar Land. On August 20, 2015, the Board and Prince Chime entered into a Final Order requiring Prince Chime to cease and desist from operating a chiropractic facility with an expired certificate of facility registration.

MARK COX, Facility Lic. #F009309, Gainesville. On August 20, 2015, the Board and Mr. Cox entered into a Cease and Desist Order requiring Mr. Cox to cease and desist from practicing chiropractic without a license.

THOMAS CULLETON, D.C., Lic. #08239, Cedar Park. On August 20, 2015, the Board and Dr.

Culleton entered into an Agreed Final Order requiring Dr. Culleton to pay an administrative penalty of \$500 for advertising services outside the scope of practice.

ABIEL GONZALEZ, D.C., Lic. #12024, Austin. On August 20, 2015, the Board and Dr. Gonzalez entered into a Cease and Desist Order requiring Dr. Gonzalez to cease and desist from practicing chiropractic with an expired license.

JOE HUGHINS, D.C., Lic. #06443, Longview. On August 20, 2015, the Board and Dr. Hughins entered into an Agreed Final Order requiring Dr. Hughins to receive a Letter of Reprimand for failing to timely notify the Board of a criminal conviction for DWI.

MORGAN IHRIG, D.C., Lic. #12755, Austin. On August 20, 2015, the Board and Dr. Ihrig entered into a Cease and Desist Order requiring Dr. Ihrig to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

ROBERT IHRIG, D.C., Lic. #12765, Austin. On August 20, 2015, the Board and Dr. Ihrig entered into a Cease and Desist Order requiring Dr. Ihrig to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

JOHN JACOBSON, D.C., Lic. #11451, Lakeway. On August 20, 2015, the Board and Dr. Jacobson entered into a Cease and Desist Order requiring Dr. Jacobson to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

KALED JAWHARI, D.C., Lic. #09274, Denton. On August 20, 2015, the Board and Dr. Jawhari entered into an Agreed Final Order requiring Dr. Jawhari to pay an administrative penalty of \$2500 for deceptive advertising and advertising superiority.

CHARLES KARAM, D.C., Lic. #12954, Austin. On August 20, 2015, the Board and Dr. Karam entered into a Final Order granting Dr. Karam

Board Disciplinary Actions Taken July through September 2015

a license, subject to passing examination requirements, that is suspended for three years and to be probated for three years with the further condition that revocation will be the result of future violations.

RICHARD LINDELL, D.C., Lic. #09992, Keller. On August 20, 2015, the Board and Dr. Lindell entered into a Cease and Desist Order requiring Dr. Lindell to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

JARRAD MARTIN, D.C., Lic. #12582, Plano. On August 20, 2015, the Board and Dr. Martin entered into an Agreed Final Order requiring Dr. Martin to receive a Letter of Reprimand for failing to timely notify the Board of a criminal conviction.

MIA McDOUGAL, D.C., Lic. #11844, Texarkana. On August 20, 2015, the Board and Dr. McDougal entered into an Agreed Final Order requiring Dr. McDougal to receive a Letter of Reprimand as an administrative penalty for failing to timely notify the Board of a criminal conviction.

NELSON MUKORO, D.C., Lic. #12166, Stafford. On August 20, 2015, the Board and Dr. Mukoro entered into an Agreed Final Order requiring Dr. Mukoroto pay an administrative penalty of \$1000 for practicing in a facility with unsanitary conditions.

PETER OSBORNE, D.C., Lic. #08910, Sugar Land. On August 20, 2015, the Board and Dr. Osborne entered into an Agreed Final Order requiring Dr. Osborne to pay an administrative penalty of \$1750 for advertising services which are outside the scope of practice, including the use of MUA as a chiropractic treatment modality and identifying himself as a functional medicine physician.

JERRY LEE PEDERSEN, D.C., Lic. #02643, Paris. On August 20, 2015, the Board and Dr. Pedersen entered into a Final order of Statutory Revocation for being convicted of a felony criminal offense with a child.

MARY PERRY, D.C., Lic. #06715, Arlington. On August 20, 2015, the Board and Dr. Perry entered into an Agreed Final Order requiring Dr. Perry to receive a Letter of Reprimand and a penalty of \$1000 for advertising and practicing outside the scope of chiropractic.

RYAN PRICE, D.C., Lic. #11571, Frisco. On August 20, 2015, the Board and Dr. Price entered into an Agreed Final Order requiring Dr. Price to receive a Letter of Reprimand for failure to disclose a criminal conviction in a timely manner.

MATTHEW RAYNER, D.C., Lic. #12017, Dallas. On August 20, 2015, the Board and Dr. Rayner entered into an Agreed Final Order requiring Dr. Rayner to pay an administrative penalty of \$750 for advertising outside of scope of practice and failure to use required verbiage with his name to fully identify himself.

DARRIN RICHARDSON, D.C., Lic. #11013, Pearland. On August 20, 2015, the Board and Dr. Richardson entered into an Agreed Final Order requiring Dr. Richardson to pay an administrative penalty of \$250 for failure to timely notify the Board of a change of address.

GLENN ROBINSON, D.C., Lic. #04991, Dallas. On August 20, 2015, the Board and Dr. Robinson entered into a Cease and Desist Order requiring Dr. Robinson to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

THOMAS RZASA, Facility Lic. #F0010961, San Antonio. On August 20, 2015, the Board and Mr. Rzasz entered into an Agreed Final Order requiring Mr. Rzasz to pay an administrative penalty of \$1000 for failure to timely respond to a complaint.

THOMAS RZASA, Facility Lic. #F0010962, Laredo. On August 20, 2015, the Board and Mr. Rzasz entered into an Agreed Final Order requiring Mr. Rzasz to pay an administrative penalty of \$1000 for failing to respond to a Board inquiry.

Board Disciplinary Actions Taken July through September 2015

THOMAS RZASA, Facility Lic. #F0010961, San Antonio. On August 20, 2015, the Board and Mr. Rzasas entered into a Cease and Desist Order requiring Mr. Rzasas to Cease and Desist due to operating a facility without a certificate of registration.

YESENIA SEPULVEDA, D.C., Lic. #08862, Houston. On August 20, 2015, the Board and Dr. Sepulveda entered into an Agreed Final Order requiring Dr. Sepulveda to pay an administrative penalty of \$1000 for performing EMG, out of scope.

KEVIN SHRUM, D.C., Lic. #07886, Dallas. On August 20, 2015, the Board and Dr. Shrum entered into an Agreed Final Order requiring Dr. Shrum to receive a Letter of Reprimand as an administrative penalty for failing to timely notify the Board of a criminal conviction for DWI.

BRADLEY SIKES, D.C., Lic. #06116, Dripping Springs. On August 20, 2015, the Board and Dr. Sikes entered into a Cease and Desist Order requiring Dr. Sikes to cease and desist from practicing chiropractic without a current license.

KAYLIN SONG, D.C., Lic. #12234, Addison. On August 20, 2015, the Board and Dr. Song entered into an Agreed Final Order requiring Dr. Song to pay an administrative penalty of \$250 for failure to timely notify the Board of a change of address.

ROBERT TANELLA, D.C., Lic. #04034, Plano. On August 20, 2015, the Board and Dr. Tanella entered into an Agreed Final Order for committing a criminal act of injury to a child. Respondent shall be subject to a suspension of active practice and licensure for a period of at least two years from the effective date of this order; in any event, such period of suspension of active practice and licensure shall not cease until full compliance with all of the terms of the Court order are fulfilled; take and pass the Ethics and Boundaries Assessment Services Exam (EBAS) prior to returning to active practice; successfully complete Professional / Problem-Based Ethics (ProBe) prior to returning to active practice; take and pass the Jurisprudence Exam prior to returning to active

practice; and be subject to a probated suspension of licensure until the conclusion of the calendar year 2022.

JACOB TORRES, D.C., Lic. #11313, San Antonio. On August 20, 2015, the Board and Dr. Torres entered into a Cease and Desist Order requiring Dr. Torres to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

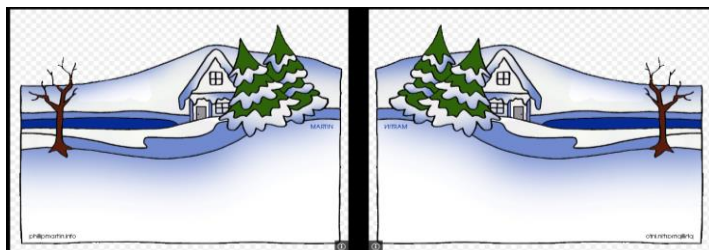
AMBER WATSON, D.C., Lic. #12364, New Braunfels. On August 20, 2015, the Board and Dr. Watson entered into an Agreed Final Order requiring Dr. Watson to receive a Letter of Reprimand for failing to notify the Board of a change of address, advertising out of scope and working in an unregistered facility.

STUART WHITE, Houston. On August 20, 2015, the Board and Mr. White entered into a Cease and Desist Order requiring Mr. White to cease and desist from practicing without a license.

ANGELA WOODSON, Facility Lic. #F009080, Beaumont. On August 20, 2015, the Board and Ms. Woodson entered into an Agreed Final Order requiring Ms. Woodson to pay an administrative penalty of \$1000 for maintaining unsanitary conditions within a chiropractic facility.

BLAKE WU, D.C., Lic. #11670, Dallas. On August 20, 2015, the Board and Dr. Wu entered into a Cease and Desist Order requiring Dr. Wu to cease and desist from operating a chiropractic facility without a current certificate of facility registration.

JOHN WYATT, D.C., Lic. #08756, Pinehurst. On August 20, 2015, the Board and Dr. Wyatt entered into an Agreed Final Order requiring Dr. Wyatt to pay an administrative penalty of \$250 for failure to maintain patient records. ♦



Electronic Health Records: What to Expect in 2016 *con't from page 5*

rule and threatening to modify it through Congressional action. Part of Chairman Alexander's reticence stems from identifying only 12% of doctors and less than 40% of hospitals are complying with Stage 2 of the program. The American Medical Association (AMA), also urged delayed action on Stage 3, said it "...Stage 3 requires significant changes to ensure successful participation, and improve the usability and interoperability of electronic health record systems."

To simplify requirements, the CMS said the EHR Incentive Programs in 2015 through 2017 include ten objectives for eligible professionals including one public health reporting objective, down from eighteen total objectives in prior stages. Additionally, CMS noted it "provided flexibility so that providers may choose measures that are most relevant to their practice."

Providers should familiarize themselves with the 2015 Edition Health IT Certification Criteria and focus on understanding its obligations to operate an EHR system with adequate interoperability and enhanced health IT exchange capabilities. Providers should understand that the ONC and CMS will emphasize protocols aimed at patient safety by applying enhanced user-centered design principles to health IT, requiring relevant patient information to be exchanged (e.g. unique device identifiers) and maintaining the integrity of security systems to preserve the confidentiality of protected health information (PHI). Right now is the time for providers to quickly identify these voids in their clinical operations. ♦

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Office Hours and Location

The office of the Texas Board of Chiropractic Examiners is located in the William P. Hobby Building, at the corner of 4th Street and Guadalupe Street in downtown Austin. The mailing address is: 333 Guadalupe St., Suite 3-825, Austin, Texas 78701. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday, except for designated holidays.

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TBCE Welcomes New DC Licensees Issued August through September 2015

Yaxaira Almeida Lopez, D.C.
Lyndsay Andrews, D.C.
Triaundra Andrews, D.C.
Donta' Bennett, D.C.
Brut Bewketu, D.C.
Adam Bohnenblust, D.C.
Jason Brame, D.C.
Christina Brasher, D.C.
Kourtni Brown, D.C.
Louis Bui, D.C.
Patrick Campbell, D.C.
Hoon Choi, D.C.
Amy Cox, D.C.
Adam Daniels, D.C.
Nicholas Deflumeri, D.C.
Lauren Elda, D.C.
Brooke Ferreira, D.C.
Thomas Forrest, D.C.
Alicia Franz-Wann, D.C.
Timothy Grothe, D.C.
Joyce Heredia, D.C.
Jacob Hinojosa, D.C.
Hessam Hosseini, D.C.
Melody Jackson, D.C.
Nicole Jackson, D.C.
Stephen Jung, D.C.
Eric Kashiwagi, D.C.
Jason Kim, D.C.
Samuel LaCroix, D.C.
Kate Lakin, D.C.
Donald Levin, D.C.
Danika Mamon, D.C.
Joshua Marqui, D.C.
Hayley Mitchell, D.C.
Ngan Nguyen, D.C.
Brad Ouellette, D.C.

Travis Owens, D.C.
Bethany Powell, D.C.
Karen Powell, D.C.
Chelsea Rackham, D.C.
Michael Rihn, D.C.
Angela Scopel, D.C.
Angela Stephens, D.C.
Jon Tong, D.C.
Jeongho Yoo, D.C.
Monshonda Young, D.C.
Bryan Yuncker, D.C.

Reinstatements

Thomas Clark, D.C.
Andrew Green, D.C.
Thientuan Vo, D.C.



Texas Chiropractic Board Report Memorials

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emorials are published at no cost as a tribute to deceased Texas Doctors of Chiropractic. Information included is primarily related to the individual's accomplishments in the chiropractic profession. To submit a memorial, please email tbce@tbce.state.tx.us or call (512) 305-6906 for more information.

"Sadness is but a wall between two gardens." - Khalil Gibran



Dr. John Neuerburg, 63, of Lake Jackson, Texas, died on Sunday, August 23, 2015. He was a resident of Lake Jackson, Texas at the time of his passing. John graduated from Lamar University in 1976 and from TCC in 1980.



Dr. Shelby Miller Elliott, 89, Dayton, Texas, died on August 19, 2015. He received his degree from TCC and Logan Chiropractic College and practiced in Dayton, Texas. Dr. Elliott was very active in the chiropractic profession. He served all offices of the Texas Chiropractic Association and nine years on the Texas Board of Chiropractic Examiners. His service on the American Chiropractic Association Board of Governors, included five terms as Chairman of the Board.



Dr. James Collins Baxter, 62 died on October 5, 2015. James graduated from Texas Chiropractic College in 1981. He is survived by former wife Carol Hudson and his four children: Lindsey, James Jr, Benjamin and Kasey. He will be greatly missed by his family and friends.

Texas Board of Chiropractic Examiners Contact Information

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LICENSING

Jennifer Hertsenberg, Director of Licensing512-305-6702

- New DC Applications, DC Renewals and Inactive Status
- Facility Registration Applications and Renewals
- Radiologic Technologist Registration Applications and Renewals
- Approval of CE Course Applications

Sarah Matthews, Licensing Assistant.....512-305-6707

- License and Continuing Education Verifications
- Changes of Address
- Open Records Requests

Mary Ann Garcia, Administrative Assistant512-305-6703

- Sales of Demographic Lists

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Michael Campos, Field Investigator, Houston713-376-2279

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Mary Feys, Compliance Administrative Assistant.....512-305-6901

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Scott Stalnaker, Legal Assistant512-305-6706

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Jo Manning, Executive Assistant512-305-6906

James Cogburn, Chief Financial Officer.....512-305-6709

Nikell Williams, Programmer Analyst512-305-7874